

Lawrence J. Gornick (SBN 136290)
Debra DeCarli (SBN 237642)
LEVIN SIMES KAISER & GORNICK LLP
44 Montgomery Street, 36th Floor
San Francisco, CA 94104
Telephone: (415) 646-7160
Fax: (415) 981-1270
lgornick@lsg-law.com
ddecarli@lsg-law.com

Bruce W. Blakely (SBN 106832)
FLAXMAN & BLAKELY, AN ASSOCIATION
591 Redwood Highway, Suite 2275
Mill Valley, CA 94941
Telephone: (415) 381-6650
Fax: (415) 381-4301
bruce@brucewblakely.com

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

PETER JAY GERBER AND MIRIAM
GOLDBERG,

Plaintiffs,

vs.

BAYER CORPORATION; BAYER
HEALTHCARE PHARMACEUTICALS,
INC.; BMC DIAGNOSTICS, INC.;
CALIFORNIA PACIFIC MEDICAL
CENTER; GENERAL ELECTRIC
COMPANY; GE HEALTHCARE, INC.; GE
HEALTHCARE BIO-SCIENCES CORP.;
McKESSON CORPORATION; MERRY X-
RAY CHEMICAL CORP.; and DOES 1
through 35

Defendants.

Case No: 3:07-cv-05918-JSW

**[PROPOSED] ORDER GRANTING
PLAINTIFFS' MOTION TO STRIKE THE
DECLARATION OF CAROL SLEETH AND
ATTACHED DOCUMENTS**

Date: January 11, 2008
Time: 9:00 a.m.
Courtroom: 2

Having considered the submissions of the parties on Plaintiffs' Motion to Strike the
Declaration of Carol Sleeth and Attached Documents:

1 Plaintiffs' Motion is GRANTED. The Declaration of Carol Sleeth and its Attached
2 Documents, Docket entry No. 40, Exhibit No. 5., is hereby stricken and ordered removed from public
3 access.

4
5 IT IS SO ORDERED.

6
7
8 Dated: _____

Honorable Jeffrey S. White